

DENNIS J. HERRERA, State Bar #139669  
City Attorney  
ELIZABETH SALVESON, State Bar #83788  
Chief Labor Attorney  
MARGARET W. BAUMGARTNER, State Bar #151762  
ADELMISE R. WARNER, State Bar #215385  
Deputy City Attorneys  
Fox Plaza  
1390 Market Street, Floor No. 5  
San Francisco, California 94102-5408  
Telephone: (415) 554-3959  
Facsimile: (415) 554-4248  
  
Attorneys For Defendants  
CITY AND COUNTY OF SAN FRANCISCO ET AL.

JOHN HOUSTON SCOTT, State Bar # 72578  
LIZABETH N. DE VRIES, State Bar # 227215  
SCOTT LAW FIRM  
1375 Sutter Street, Suite 222  
San Francisco, CA 94109

Attorneys for Plaintiff,  
CLIFFORD COOK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLIFFORD COOK,

Plaintiff,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, ANTONIO FLORES,  
DON SLOAN, MARSHA ASHE, and  
DOES 1-50, inclusive,

Defendants.

Case No. C 07-02569 CRB

**STIPULATION TO MODIFY  
BRIEFING SCHEDULE RE  
PLAINTIFF'S MOTION TO AMEND  
OR, IN THE ALTERNATIVE, TO  
DISMISS CLAIMS, AND ~~PROPOSED~~  
ORDER**

Hearing Date: July 25, 2008

Time: 10:00 a.m.

Place: Courtroom 8, 19<sup>th</sup> Fl.

Date action filed: May 15, 2007

1 WHEREAS, on June 18, 2008, Plaintiff, Clifford Cook, filed a Motion to Amend the  
2 Complaint, Or In The Alternative, to Dismiss Two Claims Without Prejudice in the above matter;

3 WHEREAS, the Court has scheduled the hearing for July 25, 2008;

4 WHEREAS, the City's opposition would be due on July 3, 2008 absent an order continuing  
5 the deadlines to a future date,

6 WHEREAS, as represented to the Court at the last status conference, lead counsel for the City  
7 (Margaret Baumgartner) has been out of the country since June 17, and will return on July 9;

8 WHEREAS, per the Court's Order, summary-judgment motions are due on August 1, 2008,  
9 such that continuing the hearing of July 25, 2008 might conflict with the August deadline;

10 WHEREAS, after meeting and conferring, the parties agree to the following briefing schedule  
11 to give Ms. Baumgartner an opportunity to review the motion, and file the City's opposition (if any):

- 12 1. Defendant's Opposition (if any) to Plaintiff's motion shall be due on or before July 14 and  
13 2. Plaintiff's Reply (if any) shall be due on or before July 21.

14 THEREFORE, the parties stipulate and respectfully request that the Court issue an order that:

- 15 1. Defendant's Opposition (if any) to Plaintiff's motion shall be due on or before July 14 and  
16 2. Plaintiff's Reply (if any) shall be due on or before July 21.

17 Dated: July 1, 2008

Respectfully submitted,

18 DENNIS J. HERRERA  
19 City Attorney  
20 ELIZABETH S. SALVESON  
21 Chief Labor Attorney  
22 MARGARET W. BAUMGARTNER  
ADELMISE ROSEMÉ WARNER  
Deputy City Attorneys

23 By: \_\_\_\_\_/s/\_\_\_\_\_  
24 ADELMISE ROSEMÉ WARNER

25 Attorneys for Defendant  
26 CITY AND COUNTY OF SAN FRANCISCO  
27  
28

1 Dated: July 1, 2008

SCOTT LAW FIRM

2 By: \_\_\_\_\_/s/\_\_\_\_\_  
LIZABETH DEVRIES

3  
4 Attorney for Plaintiff  
CLIFFORD COOK

**[PROPOSED] ORDER**

**GOOD CAUSE APPEARING, THE COURT HEREBY ORDERS AS FOLLOWS:**

1. Defendant's Opposition (if any) to Plaintiff's motion shall be due on or before July 14 and
2. Plaintiff's Reply (if any) shall be due on or before July 21.

SO ORDERED.

**The hearing is rescheduled to July 24, 2008 at 10:00 a.m.**

Dated: July 2, 2008

HON. CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

